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I certify that on 1/25/05, which is the date I am signing this certificate, this correspondence and all identified attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

*Maria Nadal*

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PATENT

Applicant: Roger A. Acey  
Serial No.: 10/797,748  
Filed: 03/09/2004  
Title: Metal Binding Proteins and Associated Methods  
Examiner: Robert A. Wax  
Group Art Unit: 1653  
Atty Docket No.: 51302-00002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
RESPONSE TO RESTRICTION/ELECTION REQUIREMENT AND  
PRELIMINARY AMENDMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Applicant submits the following Preliminary Amendment and Remarks in Response to the Office Action dated January 14, 2005 in the above referenced patent application.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

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